

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAORLINA
COLUMBIA DIVISION

Jason Mulligan,)	Case No.: <u>3:12-cv-02899-JFA</u>
)	
Plaintiff,)	
)	
v.)	
)	
Brushy Mountain Bee Farm, Inc. and)	DEFENDANT
Dadant & Sons, Inc.,)	DADANT & SONS, INC.'S
)	RULE 26.01 INTERROGATORY
Defendants.)	RESPONSES

TO: THE UNITED STATES DISTRICT COURT:

Under the provisions of Local Rule 26.01, Defendant, Dadant & Sons, Inc., responds to the Court's Rule 26.01 Interrogatories as follows:

A. State the full name, address and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.

ANSWER: The Defendant knows of no subrogation interest involved in this case.

B. As to each claim, state whether it should be tried jury or non-jury and why.

ANSWER: The Defendant asserts that this case should be tried jury.

C. State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

ANSWER: Defendant Dadant & Sons, Inc. is not a publicly owned company.

D. State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

ANSWER: Plaintiff filed this case in this division and Defendant does not object.

E. Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which *may be* related regardless of whether they are still pending. Whether cases *are* related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical translations, happenings or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.¹

ANSWER: Defendant is not aware of any related case pending in the District of South Carolina.

F. If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

ANSWER: Defendant Dadant & Sons, Inc. is properly identified.

¹ This information is required in addition to completion of the "related cases" block on the JS44 Civil Cover Sheet. Although the Civil Cover Sheet requires only that you disclose *pending* related cases, this interrogatory and this District's assignment procedures require disclosure of *any prior or pending* related case whether civil or criminal. Therefore, both categories should be disclosed in response to this interrogatory as well as on the JS44 Civil Cover Sheet.

G. If you contend that some other person or legal entity is, in whole or in part, liable to you or the other party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

ANSWER: Defendant is unaware at this time of any other legal entity liable to it or the party asserting this claim; however, this Defendant reserves the right to amend this response at a later date should the discovery in this case reveal any other parties who may be liable to the Defendant or the Plaintiff in this matter.

Respectfully submitted,

SWEENEY, WINGATE & BARROW, P.A.

s/ Mark S. Barrow

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